

These minutes have been prepared to satisfy the requirements of Section 551.021 of the Texas Government Code.

Town of Hollywood Park
Regular City Council Meeting
Tuesday, February 23, 2021
Meeting Duration: 6:00 p.m. to 9:06 p.m.

I. CALL TO ORDER

Mayor Chris Murphy called the City Council meeting to order at 6:00 p.m.

II. ROLL CALL

Members of the City Council present: Mayor Chris Murphy, Michael Howe; Debbie Trueman; Oscar Villarreal; Delaine Hall; Paul Homburg

Hollywood Park Staff present: City Attorney Ryan Henry; Police Chief Shad Prichard; Fire Chief John Butrico; City Treasurer Jeff Hinson; Public Work Director Kelly Cowan; City Secretary Jeannette Huggins

III. PRESENTATIONS

Daryl Spillman, Senior Project Engineer of RESPEC presented an MS4 Program annual update. MS4 (Municipal Separate Storm Sewer System) includes ditches, curbs, gutters, storm sewers, and similar means of collecting or conveying runoff. MS4 does not connect with a wastewater collection system or treatment plant.

IV. ANNOUNCEMENTS / REPORTS / MAYOR AND CITY EMPLOYEES

1. Fire Chief John Butrico reported:

January 2021: The Fire Departments had 72 calls for service - 25 EMS calls; 43 fire alarms; 1 vehicle fire; 1 hazardous conditions/spill. Acadian Ambulance Service responded to 21 calls with an average response time of 11m17s. Chief Butrico also reported to the City Council about the week of the freezing weather. During that week the Fire Department reports 31 calls for service between Sunday and Friday. There were 11 fire alarm calls for service, which were system malfunctions and 12 alarms that were water flow alarms due to broken sprinkler system pipes and fire suppression system in commercial properties. There were also residential properties with broken water pipes. There was one reported carbon monoxide alarm to report. Chief Butrico explained the carbon monoxide alarm was activated at a residence because the homeowner had set up a generator in the garage with the garage door closed. It was fortunate for the residence that there was a carbon monoxide detector at the location. Fortunately, the carbon monoxide levels were not lethal. Chief Butrico expressed the importance of not running a generator indoors, to include the garage to avoid a similar situation. Generators should be set up outdoors. There were four EMS calls during this week as well as a structure fire in Bexar County (apartment complex on TPC Parkway), for which Hollywood Park FD provided manpower. Chief Butrico spoke of a call for service that involved a resident who ran out of oxygen and wasn't able to get oxygen to her home. The Fire Department responded to provide her with oxygen until EMS could arrive to transport the resident to the hospital. Chief Butrico explained that he would like to purchase spare oxygen tanks for the FD to be able to loan to residents in situations like this one. This could save the residents, in similar situations, a trip to the hospital. Fire Department personnel also assisted the Public Works Department in spreading salt and gravel on the roads and blocking traffic. The Fire Department received requests for firewood. They were able to provide firewood to several residents from a supply the Public Works Department has. Chief Butrico reported that one of the biggest issues the City has was finding fuel for their vehicles and the generator that was being used due to the power outage. Most gas stations were not open. Those gas stations that were open didn't have diesel fuel or had long lines

of people needing fuel. The Bexar County Fire Marshall's Office Emergency Management was able to provide 50 gallons of diesel for the generator. Due to this issue, Chief Butrico would like to look into the possibility of having fuel tanks installed at 2 Mecca Drive for all City services. Chief Butrico would also like to have a supply of bottled water available for emergency distribution. Chief Butrico thanked all the residents who provided food to the Fire Department personnel during the week.

2. **Police Chief Shad Prichard** reported: January 2021 the Police Department had 327 calls for service - 8 offenses; 2 arrests. Chief Prichard explained that the Alamo Area Police Chief's Association had a meeting with the Bexar County D.A. who has issued an interoffice policy, which indicates that the District Attorney's office will not accept certain levels of narcotic possession from any agency in Bexar County. The HPD is working through the challenges this policy is posing for certain cases. Chief Prichard provided the City Council with information received from SAPD regarding the MOU pertaining to the access road traffic enforcement program. The HPD's annual Racial Profiling Report has been submitted to Texas DPS. Chief Prichard spoke of some of the HPD's notable calls for service.
3. **Public Works Director Kelly Cowan** reported: During the month of January 2021 there were 66 code cases documented and eleven (11) Voigt Rentals. Kelly reported the construction crew will begin milling tomorrow on Meadowbrook Dr.. The work for the residential gas tie-ins is still in progress on El Cerrito Dr. and will continue for about two more weeks. Kelly stated it's believed this will all be completed by the end of March. Kelly thanked the HPFD for their assistance with road maintenance during the freezing weather. Kelly notified the City Council that he will present the information and recommendation for the Swimming Pool Maintenance Contract at the next Council Meeting. Kelly reported that during the freeze Town Hall had one busted water line and Voigt Park sustained significant damage to include inoperable pumps at the pool, frozen water lines, and water leaks. The Voigt Center did not sustain any damage during the freeze.
4. **Finance - City Treasurer Jeff Hinson** reported: Ending January 2021 property taxes are at 70% overall. Revenue was \$2.6 million, which is 62% and higher because of the property tax tat has come in. Sales tax is on budget. December was only 11% below not 20% like before. January is 0% difference. Jeff reported that the main concern on the revenue side is interest. Interest rates have decreased so much. Where the Town used to earn \$5,000 a month in interest last year, now the Town is earning \$300 a month on interest this year. Billboard income can make up for that. The other concern is the Franchise taxes. Due to new State laws allowing telecommunications companies to pay the franchise taxes from 3%-5% or right-of-way fees set by the State. The Town averages \$52,000.00 from SWBC and AT&T each year. Our first payment this year was \$900.00. We are looking at about 10% of what we used to receive. Jeff reported that the Town has fully transferred all banking to Plains Capital Bank. Jeff also reported that the Town is receiving revenue from other (4) swim teams for use of the swimming pool that are not Mr. Gallivan's swim team. No agreements or certificates of insurance have been made or received from these other swim teams.
Councilmember Trueman asked how this is being allowed to happen.
Kelly Cowan, Public Works Director, advised he will reach out to Kevin Gallivan tomorrow to find out what is going on.
5. **Administration Department - City Secretary Jeannette Huggins** reported: Municipal Court continues to be held telephonic court. Jeannette also reported that Frances Savage has started her position with the Administration Department as the Administrative Assistant. Jeannette informed the City Council that the Court Clerk submitted her letter of resignation last Friday, which was unexpected. Jeannette stated that she and the Municipal Court Judge will be interviewing someone on Friday with six years of municipal court experience. Jeannette provided an update on the microphone upgrade in Council Chambers. She advised there was a delay in the start of the project, due to a delay in sending the signed purchase order to TROX for processing, as well as the severe weather last week. The work on the project is set to begin tomorrow. Jeannette reported that the P&Z Public Hearing has been scheduled for March 10, 2021 with a follow up Public Hearing at the March 16, 2021 City Council Meeting. Jeannette reported there are two candidates for each Council Place that will be on the May 1st election ballot. Place 1 will be Sean Michael Moore and Del Gallivan. Place 3 will be Oscar Villarreal, Jr. and Michael Voorhies. Place 5 will be Paul Homburg and Glenna Pearce.

6. **City Attorney Ryan Henry** reported: He will be introducing his new Associate Attorney at the next City Council Meeting.
7. **Mayor Chris Murphy** reported: Expressed his appreciation to everyone who worked and maintained contact with him during the week of the severe weather. Mayor Murphy asked for input from Chief Butrico regarding Covid-19 vaccinations for people 65 and older. Mayor Murphy was contacted by a resident who asked why Hollywood Park isn't providing vaccinations as Comal County is. *Chief Butrico explained that Bexar County has teamed up with Meals on Wheels to identify residents unable to travel to a vaccination site. That information is then provided to the SAFD and a date and time is scheduled to go to the resident to administer the vaccine. At this time the only way to get this service, would be if you are a recipient of Meals on Wheels. Due to the strict storage requirements for the vial of the vaccines, not just anyone entity can provide the vaccinations.*

V. CONSENT AGENDA

1. Approve the Regular Meeting Minutes for the 12/15/2020 City Council Meeting.
 2. Approve the Special Meeting Minutes for the 01/26/2021 Special City Council Meeting.
 3. Accept the Financial Statements as of 01/31/2021.
- Councilmember Trueman made a motion to approve the Consent Agenda in its entirety. Councilmember Villarreal seconded the motion, which passed unanimously.*

VI. CITIZEN PARTICIPATION

Tonya Cummings of 129 Grand Oak Dr. commended the Public Works Department, Fire Department, and Police Department for their work and efforts during the week of the freeze. Tonya commented on the issue of lack of fuel mentioned by the Fire Chief. Tonya expressed that she feels Hollywood Park should be compensated for providing fire services at the new apartment complex being built at Brook Hollow/San Pedro.

VII. NEW BUSINESS

1. Discuss/take possible action on a resolution to confirm the appointment of Alison C. Band, by Mayor Chris Murphy, to the Hollywood Park Zoning Commission. [Mayor C. Murphy]
 - a) Citizen Comment: None
 - b) Discussion: *Councilmember Hall asked if this position was posted for other people who may be interested. City Secretary Jeannette Huggins explained that the position was not posted. The P&Z is short one member and Alison is currently one of three alternate members on the P&Z Commission. Jeannette explained that Alison had expressed interest in serving as a member before this position came up, at which time she submitted a resume. Councilmember Hall asked if the other alternate members were made aware of the possibility to serve as a regular member. Jeannette advised that she did not reach out to Alison about becoming a "member" rather than serving as an alternate member, so "no" the other alternate members were not contacted. Alison initiated the interest in serving as a regular member of the Commission.*

Councilmember Debbie Trueman made a motion to confirm the appointment of Alison Band to the Planning and Zoning Commission.

Councilmember Villarreal seconded the motion, which passed unanimously.

2. Discuss/take possible action to update the current City Ordinance pertaining to addresses and having addresses posted and clearly visible. [J. Butrico / K. Cowan]
 - a) Citizen Comment: *Tonya Cummings of 129 Grand Oak Dr. stated that in new subdivisions addresses are all posed in a certain spot. In rural areas there are metal reflective signs on stakes posted in front of all houses. This may be something we could consider.*
 - b) Discussion: *Fire Chief Butrico explained that over the years there has been much concern from Fire personnel who have trouble locating addresses when responding to emergency calls. The current*

ordinance stated the address must be visible from the street. The ordinance doesn't indicate a size requirement or any other details. Chief Butrico stated that some residents don't even comply with the current ordinance. What is presented to Council are some details the City departments would like the Council to consider so that addresses can be easily located.

Councilmember Hall spoke of non-emergency instances where she has experienced trouble trying to locate address on homes in Hollywood Park. She agrees the first responders need to be able to see the address.

Councilmember Trueman stated she is in favor, however the wording of the language provided needs to be clarified. She also said if the numbers are posted on the mailbox, she doesn't think they can be four (4) inches tall.

Councilmember Villarreal asked if we could simply require the address be posted on the mailbox. Chief Butrico explained the issue with this is that not all mailboxes are directly in front of the respective house. Some mailboxes are across the street from the house or in a group of mailboxes. Councilmember Homburg spoke of residents who have their addresses posted on trees or rocks. He is concerned about requiring people to place four (4) inch vinal reflective numbers in front their house when there's another sign with the address posted and clearly visible from the street that should be sufficient. What is being proposed is going to require everyone to go buy reflective plastic numbers, even those who already have visible addresses posted in their yards.

City Attorney Ryan Henry suggested make the requirement for the four (4) inch reflective numbering but add a section that indicates if there is already sufficient posting in and alternate location you would confirm with the Fire Chief or Police Chief that your alternate posting will work.

No action taken at this time.

3. Discuss/take possible action to consider amending of the Hollywood Park Code of Ordinances regarding Trees and Public Tree Care Sec. 72-13. Preventative Measures (2) Permit Process and Sec. 72-14 Management/Enforcement (1) a. and b. Code Compliance. [K. Cowan]

a) Citizen Comment: None

b) Discussion: Kelly Cowan explained that it was discovered that City code does not require a tree permit for anything except trimming oak trees. Kelly stated that his reason for proposing this amendment is to streamline the tree permitting process. If you're going to trim a tree(s), get a permit. Councilmember Homburg asked if this was intended to be a revenue generating item. Kelly stated this has nothing to do with revenue, it's about making the permitting process and code enforcement easier. Councilmember stated that administrative convenience is not a good rational for imposing this type of regulation on the citizens. If this was to direct a commercial tree trimming contractor to obtain a permit would be one thing, but to require this of a citizen who is going to trim any tree is a burden that doesn't need to be placed on the citizen and not justifiable.

Councilmember Trueman stated she was not in favor of this amendment at all. The reason for tree trimming permits is to prevent the spread of Oak Wilt, so there is no reason for permitting all tree trimming.

Councilmember Hall stated as this pertains to a contractor this is a good idea.

Councilmember Villarreal stated he trims trees and shrubs and doesn't think about needing a permit for maintenance.

Councilmember Howe stated he was not in favor of the proposed amendment.

No action taken.

4. Discuss/take possible action to adopt an Ordinance amending Sec. 14.01 (Grievances Policy) of the Hollywood Park Employee Manual. [P. Homburg]

a) Citizen Comment

b) Discussion: Councilmember Homburg explained this is an Ordinance that sets a time period for informing members of the City Council if there is a grievance against the Mayor, Council Member, or Department Head. The Ordinance basically says that the Council will be advised and provided a

copy of the grievance before the end of the second business day after the grievance is filed. That is the only change to the Ordinance.

Mayor Murphy asked if all elected officials should be included in this and asked if the purpose was to basically try to accelerate the process. Councilmember Homburg stated that the previous wording didn't have a timeline for the Council being informed of a grievance and it includes grievances against the Mayor, City Council, and Department Heads.

Councilmember Trueman made a motion to adopt the Ordinance amending Sec. 14.01 (Grievances Policy) of the Hollywood Park Employee Manual.

Councilmember Hall seconded the motion, which passed unanimously.

5. Discuss/take possible action on allowing concession and other sales at Voigt Park. [M. Howe]

a) Citizen Comment: None

b) Discussion: Councilmember Howe explained that he wanted to see if it was possible to use the Voigt Snack Shack for fund raising for groups such as the Hammerhead Swim Team, Humane Society, and the Garden Club.

City Attorney Ryan Henry explained the Snack Shack is a City facility on City land dedicated to the City with certain deed restrictions. The City can allow the use of the facility for fund raising as long as it is a furtherance of a recreational use or a park use. If the City is going to allow this type of use the City has to get some level of value in return and has to have something that memorializes the agreement for the leasing, time period, and purpose.

Councilmember Homburg asked how the City would determine who would be permitted to hold their concession sales at the Snack Shack.

There was discussion amongst Councilmembers regarding the details to be considered for a lease agreement to include restrictions, requirements, fees, and which groups could participate in sales. There was also discussion about the possibility of allowing vending machines.

City Attorney Ryan Henry will work on a lease agreement and provide it to Council for review.

6. Discuss the update regarding the dismissal of Chris Fails v. Town of Hollywood Park litigation. [City Attorney]

a) Citizen Comment: None

b) Discussion: City Attorney Ryan Henry notified the City Council that the lawsuit filed by Chris Fails was dismissed by the Plaintiff, Chris Fails, without prejudice. This means the lawsuit can be pursued at a later date. At the moment, it's been dismissed and doesn't exist.

The lawsuit filed by Chris Fails cost the Town of Hollywood Park almost \$10,000.00.

VIII. EXECUTIVE SESSION

The City Council will meet in closed executive session pursuant to Texas Government Code Sections 551.076 and 551.089 to discuss:

1. Discussion regarding whether the City should adjust the layout of City Hall's security doors, Police Department office layout, or the authorized secured sections of City Hall and how such changes would affect the other departments. This includes security assessments relating to access to confidential information technologies and criminal justice information, security infrastructure and devices, or whether a security audit is needed.

Mayor Murphy closed the regular session at 8:06 p.m.

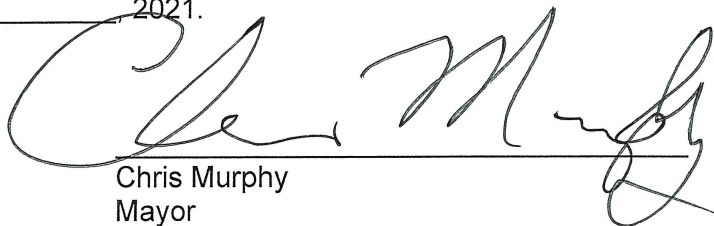
The City Council reconvened into regular session at 9:05 p.m.

No action taken.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Murphy adjourned the meeting at 9:06 p.m..

The minutes of this meeting are approved as submitted [☒] submitted [☐] corrected on this the 16th
_____ day of March _____, 2021.


Chris Murphy
Mayor

ATTEST


Jeannette Huggins
City Secretary